IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE SRI JUSTICE N.V. RAMANA**

**WRIT PETITION NO.761 of 2005**

Between:

Thota Rambabu, S/o. Sriramamurthy,
R/o. Peddanke, Kolluru Mandal, Guntur District.,

**..... PETITIONER**

AND

1 The District Level Committee for Sand, Rep by its Chairperson,

Zillaparishad, Guntur District.
2 The Joint Collector/Member, District Level Committee for Sand,

Guntur District.
3 The Deputy Panchayat Officer and Member Convenor, District

Level Committee for Sand, Guntur District.

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing Notification No. Rc. 8030/2003-G2 in respect of sand reach No. 3, Chirravvur Village limits in Thadepalli Mandal, Guntur District for temporary permit for grant of 15 days lease without considering the petitioners case for grant of extension of lease period for next year as per the clause 9-P of the G.O.Ms.No.1,
dated 1-1-2004 Industries and Commerce (M1) Department as illegal and arbitrary and consequentially direct the respondents to extend lease period for the next year.

**Counsel for the Petitioner: MR.M.L. ALI**

**Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.**

**The Court, at the admission stage, made the following:**

**ORDER:**

Aggrieved by the action of the respondents in issuing the impugned notification No.Rc.No.8030/2003-G2, dated 20.01.2005 for grant of temporary lease permit for 15 days for quarrying the sand in respect of Sand reach No.3, Chirravvur village limits in Thadepalli Mandal, Guntur District without considering the case of the petitioner for grant of extension of lease period for next year, the present writ petition is filed.

The petitioner claims to be existing operator of Sand quarry at reach No.3 between 7.344 km to 12.00 km on Right Flood Bank of Krishna River bed near Chirravvuru village, Thadepalli Mandal, Guntur District for a period of one year from 09.01.2004 under leasehold agreement dated 09.01.2004. It is stated that the said lease period expired on 08.01.2005 and the same was extended upto 20.01.2005 by the 3rd respondent vide proceedings dated 08.01.2005. The grievance of the petitioner is that the respondents, without considering his application dated 19.01.2005 for extension of lease period for next year, issued the impugned notification. Hence, he filed the present writ petition.

Heard the learned counsel for petitioner and learned Government Pleader for Panchayat Raj and Rural Development. Both counsel agreed to dispose of the writ petition at the admission stage.

Since the application of the petitioner dated 19.01.2005 seeking extension of lease period for the reach in question is said to be pending consideration before the respondents, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition directing the respondents to consider the same and pass appropriate orders thereon in accordance with the procedure contemplated under

law.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

_____

**N.V. RAMANA, J.**

**Date:** 25.01.2005

Nsr/Mrr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Level Committee for Sand, Rep by its Chairperson,

Zillaparishad, Guntur District.
2 The Joint Collector/Member, District Level Committee for Sand,

Guntur District.
3 The Deputy Panchayat Officer and Member Convenor, District

Level Committee for Sand, Guntur District.

4 Two CCS to GP for Panchayat Raj and Rural Development, High Court of AP, Hyderabad (OUT)

5 Two CD copies.

*Form-NIC-OGS/WP{**RLD**}*